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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 8**  
**999 18<sup>TH</sup> STREET- SUITE 300**  
**DENVER, CO 80202-2466**  
**Phone 800-227-8917**  
**<http://www.epa.gov/region08>**

Ref: 8OC

September 18, 2008

Jesse Stamper  
General Partner  
VBS LLP  
630 West 3<sup>rd</sup> Avenue  
Denver, CO 80023

FAX: (303) 291-0503

**RE: 3701 Vine Street, APPRX, Denver, CO 80205**

Dear Mr. Stamper,

As part of the Vasquez Boulevard and Interstate 70 (VB/I-70) Superfund Site investigation, we received a signed access agreement from you, authorizing us to take soil samples at your property to find out if there is too much lead or arsenic in your yard. This sampling has been completed and EPA should receive the results of this sampling within two to three weeks.

Should the results show levels of arsenic above 70 parts per million (ppm) or levels of lead above 400 ppm, EPA will remove the top 12 inches of your yard soil and replace it with clean soil. EPA will then work with you to re-landscape your property, if appropriate. All work will be completely free to you as the property owner. Once the cleanup at your property is complete, EPA will no longer consider your property to be a part of the VB/I-70 Superfund Site.

If your results show levels of arsenic below 70 ppm or levels of lead below 400 ppm, then EPA does not believe there is a significant health risk to address, and no cleanup will be required. EPA will no longer consider your property to be part of the VB/I-70 Superfund site.

EPA strongly encourages you to hold off on construction at your property until you receive the results of the soil sampling, and if necessary, until after EPA removes and replaces the soil at your property. If your property does require a cleanup, EPA will not hold you, as the owner, liable for the cleanup, unless you polluted the site or made existing pollution problems worse.

Further, it is not generally EPA's policy to hold lenders liable for contamination if they merely loan money to an owner of a property, provided that lenders do not participate in daily management. Please see the property issues fact sheet and the portion of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) that has to do with lender liability which I've included with this letter.

Please feel free to contact me for any further information on this issue.

Sincerely,

Jennifer Chergo  
Office of Communication and Public Affairs  
The Environmental Protection Agency, Region 8  
999 18<sup>th</sup> Street, Ste. 300  
Denver, CO 80202  
(303) 312-6601

